



Docket No.: 50355-050R

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of

Fumiaki Ueno et al.

Reissue application of Patent No.
5,807,640 Issued on 9/15/98

Based on Serial No.: 507,495

: Applications Branch

Filed: August 28, 1995

For: OPTICAL RECORDING MEDIUM REPRODUCING SYSTEM, METHOD OF
REPRODUCING OPTICAL DISK, METHOD OF FABRICATING OPTICAL DISK ORIGINAL
RECORD, AND METHOD OF STOPPING ILLEGAL PROGRAM OPERATION

**COMBINED DECLARATION AND POWER OF ATTORNEY
IN REISSUE APPLICATION**

Box 7

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

As below-named joint inventors, We hereby declare that:

Our residence, post office addresses, and citizenship's are as stated below next to our names;
and that

We verily believe that we are the original and first joint inventors of the invention entitled:
OPTICAL RECORDING MEDIUM REPRODUCING SYSTEM, METHOD OF
REPRODUCING OPTICAL DISK, METHOD OF FABRICATING OPTICAL DISK ORIGINAL
RECORD, AND METHOD OF STOPPING ILLEGAL PROGRAM OPERATION,
described and claimed in the Reissue application filed September 15, 2000, that we understand the
content of the specification filed therein, that we have reviewed and understand the content of the
specification including the claims, as well as the claims referred to in this Declaration, that we do

not know and do not believe the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to that the same was not in public use or on sale in the United States of America more than one year prior to , that the invention has not been patented or made the subject of an inventor's certificate issued before, in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to , that We acknowledge our duty to disclose information of which We are aware which is material to the examination of this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to the original application Serial No. 507,495 by us or our legal representatives or assigns, except as follows: Patent Application filed in on , priority of which is claimed.

Our original U.S. Patent 5,807,640, issued September 15, 1998, which matured from Serial No. 507,495, is believed to be wholly or partly inoperative by reason of the patentees claiming less than they had a right to claim through error and without any deceptive intention.

When comparing the scope of the protection covered by the claims of the U.S. patent 5,807,640 with the technique actually used in the products that are being made, used and/or sold in accordance with the claims, although the basic idea is common, the actual detecting circuit may not be fully covered by the present claims since the claims do not positively define the shifting of an edge of selected pits in the circumferential direction. Since, in an actual optical disk, the edge of selected pits are shifted circumferentially, it is intended add claims delineating that the edge of selected pits are shifted circumferentially to positively cover products that are actually being made, used and/or sold.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Stephen A. Becker, Reg. No. 26,527; John G. Bisbikis, Reg. No. 37,095; Christopher D. Bright, Reg. No. P-46,578; Daniel Bucca, Reg. No. 42,368; Kenneth L. Cage, Reg. No. 26,151; Stephen C. Carlson, Reg. No. 39,929; Jennifer Chen, Reg. No. 42,404; Bernard P. Codd, Reg. No. 46,429; Thomas A. Corrado, Reg. No. 42,439; Lawrence T. Cullen, Reg. No. 44,489; Paul Devinsky, Reg. No. 28,553; Margaret M. Duncan, Reg. No. 30,879; Ramyar M. Farid, Reg. No. P-46,692; Brian E. Ferguson, Reg. No. 36,801; Michael E. Fogarty, Reg. No. 36,139; John R. Fuisz, Reg. No. 37,327; Willem F. Gadiano, Reg. No. 37,136; Keith E. George, Reg. No. 34,111; Matthew V. Grumbling, Reg. No. 44,427; John A. Hankins, Reg. No. 32,029; Joseph Hyosuk Kim, Reg. No. 41,425; Eric J. Kraus, Reg. No. 36,190; Catherine Krupka, Reg. No. 46,227; Jack Q. Lever, Reg. No. 28,149; Raphael V. Lupo, Reg. No. 28,363; Michael A. Messina, Reg. No. 33,424; Dawn L. Palmer, Reg. No. 41,238; Joseph H. Paquin, Jr., Reg. No. 31,647; Scott D. Paul, Reg. No. 42,984; William D. Pegg, Reg. No. 42,988; Robert L. Price, Reg. No. 22,685; Thomas D. Robbins, Reg. No. 43,669; Gene Z. Robinson, Reg. No. 33,351; Joy Ann G. Serauskas, Reg. No. 27,952; Daniel H. Sherr, Reg. No. P-46,425; David A. Spenard, Reg. No. 37,449; Arthur J. Steiner, Reg. No. 26,106; David L. Stewart, Reg. No. 37,578; Wesley Strickland, Reg. No. 44,363; Michael D. Switzer, Reg. No. 39,552; Leonid D. Thenor, Reg. No. 39,397; Daniel S. Trainor, Reg. No. 43,959; Cameron K. Weiffenbach, Reg. No. 44,488; Aaron Weisstuch, Reg. No. 41,557; Edward J. Wise, Reg. No. 34,523; Alexander V. Yampolsky, Reg. No. 36,324; and Robert W. Zelnick, Reg. No. 36,976
all of

All future correspondence connected therewith should be addressed to the following address.

McDermott, Will & Emery
600 13th Street, N. W.
Washington, DC 20005-3096

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: FUMIAKI UENO

Inventor's signature: *Fumiki Ueno*

Date: *December 20, 2000*

Residence: Hirata-Shi, Osaka 573 Japan

Citizenship: Japanese

Post Office Address: 5-30-810 Miyanosaka 2-chome, Hirakata-shi, Osaka 573
Japan

Full name of second inventor: MITSUAKI OSHIMA

Inventor's signature: *Mitsuaki Oshima*

Date: *December 20, 2000*

Residence: Kyoto-shi, Kyoto 615 Japan

Citizenship: Japanese

Post Office Address: 115-3, Minamitatsumicho, Ktsura, Nishikyo-ku, Kyoto-shi,
Kyoto 615 Japan